

WORKFORCE DEVELOPMENT DEPARTMENT[871]

Notice of Intended Action

**Proposing rule making related to claims and benefits
and providing an opportunity for public comment**

The Director of the Department of Workforce Development hereby proposes to amend Chapter 24, “Claims and Benefits,” and Chapter 25, “Benefit Payment Control,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 96.11.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 96.

Purpose and Summary

These amendments will give Iowa Workforce Development a clearer framework from which to operate with regard to technology and modern efficiencies. The amendments will also help eliminate inefficiencies that remain as a result of outdated rules.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on February 20, 2018. Comments should be directed to:

David Steen
Iowa Department of Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Email: david.steen@iwd.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **24.2(1)“g,”** introductory paragraph, as follows:

g. No ~~continued claim for benefits~~ benefit payment shall be allowed until the individual claiming benefits has completed a continued claim online or ~~claimed benefits~~ as otherwise directed by the department.

ITEM 2. Amend paragraph **24.9(1)“a”** as follows:

a. When an initial claim for benefits is filed, the department shall send to the individual claiming benefits, ~~including~~ a notification consisting of a statement of the individual's weekly benefit amount, total benefits, base period wages, and other data pertinent to the individual's benefit rights.

ITEM 3. Amend paragraph **25.7(6)“c”** as follows:

c. If a claimant fails to respond to the first statement of overpayment, a second statement shall be sent 30 days later. The second statement notifies the claimant that full repayment must be made. If the claimant cannot make full repayment, the department will consider a monthly repayment agreement. Monthly amounts based on the minimum repayment agreement schedule below will be printed on the second billing. The first repayment is expected 10 days from the date of the second repayment statement and the additional repayments every 30 days thereafter until the debt is paid in full. The department reserves the right to accept or reject any proposed repayment agreement. The following minimum repayment agreement is acceptable by to the department.

Amount of Original Overpayment	Minimum Monthly Payments	Number of Months Required to Liquidate the Overpayment
Under \$199	\$ 25	1 to 8
\$200 to \$399	\$ 40 <u>50</u>	5 to 10 <u>4 to 8</u>
\$400 to \$599	\$ 50 <u>75</u>	8 to 12 <u>5 to 8</u>
\$600 to \$799	\$ 65 <u>90</u>	9 to 13 <u>6 to 9</u>
\$800 to \$999	\$ 80 <u>100</u>	10 to 13 <u>8 to 10</u>
\$1000 to \$1499	\$ 90 <u>150</u>	11 to 17 <u>6 to 10</u>
\$1500 to \$1999	\$ 100 <u>200</u>	15 to 20 <u>7 to 10</u>
\$2000 to \$2999	\$ 110 <u>250</u>	18 to 28 <u>8 to 12</u>
\$3000 and over	\$ 130 <u>300</u>	23 to — <u>10 to —</u>